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HOUSE RESOLUTION 204
By McAfee

A RESOLUTION relative to the study of issues concerning child abandonment.

WHEREAS, the issue of child abandonment is of vital concern to citizens throughout Tennessee and affects the lives of children daily; and

WHEREAS, Tennessee Code Annotated, Section 39-15-401, states that any person who knowingly, other than by accidental means, treats a child under the age of seven in such a manner as to inflict injury, or neglects such child so as to adversely affect the child's health and welfare, commits a Class D felony; and

WHEREAS, supporters of legislation to ease the surrender of abandoned children, and eliminate prosecution associated therewith, argue that mothers who abandon their babies often hide their pregnancy and do not receive prenatal care, resulting in babies being born with serious health problems that demand prompt attention; and

WHEREAS, they further contend that offering alternatives to new parents who are overwhelmed by the immediate responsibilities of caring for a baby would encourage more

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parents to deliver their newborns to safe havens rather than abandon them to die; at the same time giving them complete anonymity and freedom from prosecution; and

WHEREAS, opponents argue that such freedom of prosecution would do little to remedy the problem of abandoned newborns; would result in inadequate information to notify or involve the biological father, and would result in inadequate information to enable others to care for or adopt such child; and that the law, if enacted, should apply to older children as well, who are often as defenseless as newborn children; and

WHEREAS, the interests of children must continue to be the paramount consideration in this matter, which is of great importance to the members of this legislative body; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That the House Committee on Children and Family Affairs is requested to study issues related to child abandonment, including those raised in this resolution.

BE IT FURTHER RESOLVED, That the House Committee's study shall be conducted with a view toward determining whether any state law should be amended or any new law should be proposed relative to child abandonment.

BE IT FURTHER RESOLVED, That the committee is requested to timely report its findings and recommendations, including any proposed legislation or interim reports, to the One Hundred Second General Assembly, no later than January 15, 2001.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be transmitted to the Chair of the House Children and Family Affairs Committee.